

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:19-cv-00474-MOC
3:17-cr-00367-MOC-DCK-1**

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|----------------------------------|---|--------------|
| ANTHONY LATREL PLAYER, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| vs. |) | ORDER |
| |) | |
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Respondent. |) | |
| <hr/> |) | |

THIS MATTER is before the Court on periodic status review and on Petitioner’s Motion to Vacate, Set Aside or Correct Sentence under 28 U.S.C. § 2255. [Doc. 1].

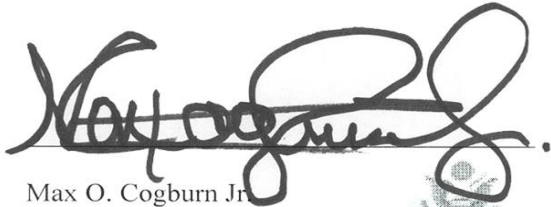
On October 25, 2019, the Court conducted an initial screening of Petitioner’s Section 2255 Motion to Vacate. [Doc. 2]. The Court found that the petition had not been signed by Petitioner under penalty of perjury, Rule 2(b)(5), 28 U.S.C.A. foll. § 2255, and ordered Petitioner to sign the petition under penalty of perjury within twenty (20) days of service of that Order and to resubmit the petition to the Court. The Clerk mailed Petitioner a blank Section 2255 form for this purpose. [Id.]. The Court instructed Petitioner that his failure to return the completed Section 2255 form, signed under penalty of perjury, within twenty days may result in dismissal of this action without prejudice.

The twenty-day deadline has expired, and Petitioner has failed to resubmit his Section 2255 petition signed under penalty of perjury. The Court, therefore, will dismiss this action without prejudice.

IT IS THEREFORE ORDERED that:

- (1) This action is dismissed without prejudice.
- (2) The Clerk is respectfully instructed to terminate this action.

Signed: December 12, 2019



Max O. Cogburn Jr.
United States District Judge

